

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

RASHID BISSAT,

Plaintiff,

v.

CITY OF VISALIA,

Defendant.

Case No. 1:21-cv-01649-JLT-SKO

ORDER CONTINUING SETTLEMENT  
CONFERENCE AND REQUIRING  
PLAINTIFF TO SHOW CAUSE WHY  
SANCTIONS SHOULD NOT ISSUE FOR  
FAILING TO COMPLY WITH THE  
COURT'S ORDER

TEN DAY DEADLINE

A settlement conference in this action is set for May 11, 2023, at 10:30 a.m. before the undersigned. (Doc. 15.) Pursuant to the Order re Settlement Conference filed December 20, 2022 (the "Order"), the parties were required to submit a confidential settlement statement to the Court no later than fourteen (14) days prior to the conference date, or April 27, 2023. (*See id.* at 2.) Although the Court has timely received the confidential statement from Defendant, it does not reflect any response by Plaintiff to Defendant's meet and confer attempts—as required by the Order. (*See id.* at 1.) Additionally, no confidential settlement statement has been received from Plaintiff. The Order also required the parties to appear for a pre-settlement telephonic discussion with the undersigned on May 4, 2023, at 4:00 p.m. (*See id.* at 4.) Defendant appeared; Plaintiff did not.

This Court spends considerable time preparing for settlement conference so as to make it meaningful to the parties and results in a greater likelihood of settlement success. Settlement is extremely important in this district where the judges have one of the highest caseloads per judge in the United States. The settlement conference statement assists the Court in adequately preparing

1 for these matters. They are not pro forma.

2 Since Plaintiff has failed to comply with the Order, the May 11, 2023, settlement conference  
3 shall be continued to October 12, 2023. Another “Order re Settlement Conference” will be issued  
4 prior to the settlement conference setting forth the requirements for the settlement conference.  
5 However, the settlement conference will not go forward unless Plaintiff meets and confers with  
6 Defendant in good faith and prior to the settlement conference and submits a meaningful  
7 confidential settlement statement to the Court, in compliance with the Order.

8 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules  
9 or with any order of the Court may be grounds for imposition by the Court of any and all sanctions  
10 . . . within the inherent power of the Court.” The Court has the inherent power to control its docket  
11 and may, in the exercise of that power, impose sanctions where appropriate, including dismissal of  
12 the action. *Bautista v. Los Angeles Cty.*, 216 F.3d 837, 841 (9th Cir. 2000). Plaintiff is required to  
13 show cause why sanctions should not issue for the failure to meet and confer with Defendant, to  
14 submit its confidential statement, and to appear for the pre-settlement telephonic discussion in  
15 compliance with the Order.

16 Accordingly, IT IS HEREBY ORDERED that:

- 17 1. The settlement conference set for May 11, 2023, is CONTINUED to October 12,  
18 2023, at 10:30 a.m. before Magistrate Judge Sheila K. Oberto; and
- 19 2. Within ten (10) days from the date of service of this order, Plaintiff shall show cause  
20 in writing why sanctions should not issue for the failure to comply with the Order.

21  
22 IT IS SO ORDERED.

23 Dated: May 5, 2023

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE